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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/541,170 04/03/00 MAZUR

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EXAMINER

BEAUCHAINE, M

ART UNIT

PAPER NUMBER

3653

DATE MAILED:

09/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/541,170

Applicant(s)

MAZUR ET AL.

Examiner

Mark J. Beauchaine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 164-327 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 164-327 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121, each invention being drawn to a method of evaluating a stack of currency bills using a currency evaluation device, classified in class 194, subclass 207:

- I. Claims 164-311.
- II. Claims 312-315.
- III. Claims 316-319.
- IV. Claims 320-323.
- V. Claims 324-327.

The inventions are distinct, each from the other because:

Inventions I, II, III, IV and V are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different and mutually exclusive modes of operation. Specifically, these modes of operation are as follows:

- I. The methods of evaluating a stack of currency bills of claims 164-311 operate by routing bills to either of two receptacles and stopping operation once a bill having a specific characteristic (either a "flagged" bill per claims 164-279, a bill

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generating "characteristic information" per claims 280-295 or a "stranger" or "no-call" bill per claims 296-311) is detected.

II. The methods of evaluating a stack of currency bills of claims 312-315 operate by routing bills having a target denomination to a first receptacle, routing bills having a denomination other than the first denomination to a second receptacle, and routing "no-call" bills to either receptacle.

III. The methods of evaluating a stack of currency bills of claims 316-319 operate by routing bills having a target denomination and a face orientation to a first receptacle, routing bills having the target denomination and an opposite face orientation to a second receptacle, and routing bills having a non-target denomination to either receptacle.

IV. The methods of evaluating a stack of currency bills of claims 320-323 operate by routing bills having a first target denomination to a first receptacle and routing bills having a second target denomination to a second receptacle. Furthermore, the process either stops upon encountering bills having a non-target denomination if both receptacles contain one or more bills, or routes said non-target denomination bill to an empty receptacle. If the bill having a non-target denomination is routed to an empty receptacle, the target denomination of said receptacle is redesignated as the denomination of said bill.

V. The methods of evaluating a stack of currency bills of claims 324-327 operate by routing bills having a first target denomination to a first receptacle, designating a second target denomination upon encountering a bill having a non-target denomination and routing bills having said second target denomination to a second receptacle. Furthermore, once the device encounters a bill having a non-target denomination, the process either stops if neither receptacle is empty, or routs said bill to an empty receptacle and redesignates the target denomination of said receptacle as the denomination of the routed bill.

The modes of operation of these inventions function in distinctly different and mutually exclusive ways. For this reason these inventions are distinct and have acquired a separate status in the art because of their recognized divergent subject matter. Thus, restriction for examination purposes is indicated as proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is


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(703)308-6336. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-7687 for regular communications and (703)305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

mjb
September 17, 2001


DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600